



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-2147 FAX (603) 271-6588



**LETTER OF DEFICIENCY
WET 2003-009**

June 24, 2003

Adam Tatem
Camilla Jones-Tatem
PO Box 316
Holderness, NH 03245

RE: DES Wetlands File #2003-00850 Route 3, Holderness

Dear Mr. and Mrs. Jones:

On May 7, 2003, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above-referenced property, more specifically referenced on Town of Holderness Tax Map 241 as Lot 68 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-700.

During the inspection the following deficiencies were documented:

1. Approximately 2,500 square feet of siltation was observed 250' northwest of the landing area, downstream of an intermittent stream crossing, in jurisdictional wetlands as a result of logging activities on the Property located.
2. A minimum of three (3) intermittent stream crossings were noted on the skid road leading from the landing area.
3. No erosion controls were employed along the skid road.
4. Logging was not in accordance with Best Management Practices for Erosion Control on Timber Harvesting in New Hampshire.
5. A review of DES records indicate that a "Notification of Forest Management or Timber Harvest Activities Having Minimum Wetlands Impact" was not filed with DES.

In response, you are requested to take the following actions

1. Immediately install and maintain erosion controls such as silt fence and hay bales within the three intermittent stream crossings within the skid road to prevent further erosion.
2. Stabilize approaches to wetland crossings and retire the skid road by smoothing, seeding, and mulching the impacted areas.

3. Restore stream channels downstream of each wetland crossing by removing the silt and placing out of DES wetlands jurisdiction.
4. All work should be completed by July 30, 2003.
5. Loam, seed, and mulch receipts need to be provided to DES. All restoration efforts need to be documented with photographs. Photos need to be taken periodically during restoration. Photos should be mounted on 8 1/2" X 11" paper with a brief description of each photo. Photographs and receipts should be provided to DES no later than August 15, 2003.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A.

Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party. DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Linda Magoon
Wetlands Bureau
Department of Environmental Services
6 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact Linda Magoon by telephone at (603) 271-4056 or by e-mail at lmagoon@des.state.nh.us or Mary Ann Tilton at (603) 271-4061 or by e-mail at mtilton@des.state.nh.us.

Sincerely,

COPY

Mary Ann Tilton
Senior Enforcement Officer
Wetlands Bureau